

20.11.02

**21 Deputy I. Gardiner of the Minister for Infrastructure regarding the introduction of a framework to allow lift services such as Uber to operate. (OQ.307/2020)**

Will the Minister undertake to give consideration to the introduction of a framework that would allow organisations such as Jersey Lifts, Uber and Lyft to operate in Jersey in a reasonable, regulated manner and, if not, will he provide his reasons?

**Deputy K.C. Lewis (The Minister for Infrastructure):**

Public service vehicle drivers must operate within the regulatory framework that already exists to ensure the safety of the public, P.S.V. (public service vehicle) drivers and their vehicles. We also approve companies to operate provided that we are satisfied they will provide an adequate service to the public and meet criteria such as being fit and proper, have a sustainable business plan, maintain record keeping and have drivers affiliate to them who meet the P.S.V. standards. I must reiterate that public safety on transport is our primary concern.

**4.21.1 Deputy I. Gardiner:**

I would like to raise a point about it. I have asked specifically about Jersey Lifts/Uber and not general companies, and I do not think the Minister answered my question.

**The Bailiff:**

Well, you can ask this as a supplementary and the Minister can be focused into the answer in those circumstances.

**Deputy K.C. Lewis:**

Yes, indeed. Sorry, is the Deputy going to formulate that into a question?

**The Bailiff:**

Well, I think the Deputy would say it is already in the question that she has already asked. She asked about Jersey Lifts, Uber and Lyft to operate. Would you give consideration to the introduction of a framework to allow them to operate, Minister, those specific companies to operate?

**Deputy K.C. Lewis:**

Well, Jersey Lifts is not a legal organisation. I can only regulate what is legal. I have answered this question many times in the past. Jersey Lifts' drivers do not have background checks. They do not have proper taxicab insurance. They are not registered businesses. Heaven forbid should anybody be injured in a car crash it would invalidate the car's insurance, plus the drivers do not have background checks and we do know whether they could be on drink or drugs or have a criminal record of some description. So that is for Jersey Lifts. Uber, we were approached by somebody who wanted to bring Uber to Jersey. They made some enquiries but have not taken that further. Lyft is something quite different. If somebody wishes to car share with a friend or neighbour and split the cost, then that is perfectly in order. Other than that, I can only regulate what is legal.

**Deputy I. Gardiner:**

A supplementary, Sir?

**The Bailiff:**

Well, you will have a final supplementary as we come through, Deputy, so you will have one to ask then.

#### **4.21.2 Deputy K.F. Morel:**

In regard to his previous answers, if the Minister were to decide to regulate one of these large, multinational lift providers, would he take into account the issues of driver welfare and reports of exploitation, let us say - I use that word advisedly - of drivers by such companies?

#### **Deputy K.C. Lewis:**

Absolutely. We only, if you like, interview bona fide companies, local companies, before they are given permission to operate as a cab company. Most of them are very tightly regulated. They are good companies. I recently authorised 2 more. They do have local drivers affiliate to them and most of them now are using apps so they can be traced. So the regulation is there to protect the public and, indeed, as the Deputy says, the drivers.

#### **4.21.3 The Connétable of St. Brelade:**

Would the Minister not agree that it is time for Government to move away from the regulatory scheme which, in fact, offers a protectionist scheme for existing operators?

#### **Deputy K.C. Lewis:**

I would not say it is protectionist. It is a very light touch. I am responsible as Minister for Infrastructure through Driver and Vehicle Standards, who are a very professional team, just to regulate the taxi and cab industry.

[16:30]

That is all I do. The others are either independent operators or they affiliate themselves to a cab company.

#### **The Connétable of St. Brelade:**

I thank the Minister.

#### **4.21.4 Deputy J.M. Maçon:**

I have many constituents who are taxi drivers who are very upset about the lack of action around Jersey Lifts, and I understand the Minister is in a bit of a bind. Anecdotally, people who are offering services from Jersey Lifts appear to be making more than simply covering the petrol costs. Is there nothing further that can be done in this area because it is not a fair or level playing field?

#### **Deputy K.C. Lewis:**

I fully appreciate what the Deputy is saying, but as Minister for Infrastructure I can only regulate what is legal. If somebody is operating outside of the law, then that is a police matter. As I mentioned previously, all of the drivers, be they taxi drivers or cab drivers, have to have background checks which goes through the U.K. computer system to make sure they do not have relevant criminal records. They have to have adequate taxicab insurance. Their vehicle has to be inspected to make sure it is roadworthy and a meter fitted and, of course, they must have adequate taxi and cab insurance. Heaven forbid should somebody get into one of these unregulated vehicles and there is a terrific accident. That would immediately invalidate that person's insurance for that unregulated vehicle. As I have mentioned previously, public safety and, indeed, driver safety is paramount.

#### **4.21.5 Deputy J.M. Maçon:**

In that case, I wonder can the Minister advise whether he has had any discussions with the Minister for Home Affairs on this particular area and were they fruitful?

**Deputy K.C. Lewis:**

I did speak some time ago to the Minister for Home Affairs. My head of Driver and Vehicle Standards recently had a meeting with the chief of police and I did ask him to bring it to his attention. The police are well aware of what is going on and the action they take is a matter for them.

**4.21.6 Deputy I. Gardiner:**

To sentences of history, the questions about Jersey Lifts going back to 2014. On 2nd May 2017, then Deputy Kevin Lewis, as then Minister for Infrastructure: "What appropriate action the Minister for Infrastructure will take to stop the service known as Jersey Lifts." Minister, you raised it 3 years ago. You know there is a problem. What can be done to create a new framework that will ensure equal rights of those legal drivers compared to the illegal drivers who are not paying tax and not having to renew a licence, to create a framework which will allow us to regulate what we call Jersey Lifts that is already for 6 years at least on the map?

**Deputy K.C. Lewis:**

I am not quite sure where that question was going, but as I said, I can only regulate what is legal. I cannot regulate something that is illegal. That is a police matter and hopefully the police will stamp this out immediately. I do not want to wait until either a young person is molested or there is a serious car accident with one of these vehicles, as I said, which would completely invalidate the driver's insurance. We do not know if they are a paedophile; we do not know if they are a drug taker. There is no knowledge of these people at all. They ring up total strangers, strangers pick them up and they are making money out of it. They will always be cheaper than taxis for the simple reason that they are not paying any taxes. It is illegal. I would like it stamped out.